

## REMARKS

Claims 1-54 are pending. In this Response, claims 13, 20, 23, 24, 32 and 37 have been amended, and claims 41-54 have been added.

### I. SECTION 102 REJECTIONS

The Decision on Appeal sustained the rejection of claims 13, 20, 23-30, 35 and 37-39 and reversed the rejection of claims 1-12, 14-19, 21 and 22 under 35 U.S.C. § 102(b) as being anticipated by *Tohkairin* (U.S. Patent 5,963,398).

Claim 23 has been amended to recite “the coil array is a D-shaped loop that consists of a first segment and a second segment, the first segment is substantially linear and the second segment forms an arc.” Claims 13, 20 and 37 have been amended to recite similar limitations.

*Tohkairin* fails to teach or suggest this approach. Movable coil 90 is not a D-shaped loop that consists of a first segment that is substantially linear and a second segment that forms an arc, as is clear from Figs. 14 and 27.

Under 35 U.S.C. § 102, anticipation requires that each and every element of the claimed invention be disclosed in the prior art. *Akzo N.V. v. United States International Trade Commission*, 1 USPQ 2d 1241, 1245 (Fed. Cir. 1986), *cert. denied*, 482 U.S. 909 (1987). That is, the reference must teach every aspect of the claimed invention. M.P.E.P. § 706.02. Anticipation cannot be sustained by ignoring claim elements.

Therefore, Applicant respectfully requests that these rejections be withdrawn.

### II. NEW CLAIMS

Claims 41-46 are claims 14-19, respectively, with claim 41 rewritten in independent form including all limitations of the base claim and any intervening claims. The Decision on Appeal reversed the rejection of claims 14-19. Therefore, claims 41-46 are allowable.

Claims 47 and 48 are claims 21 and 22, respectively, with claim 47 rewritten in independent form including all limitations of the base claim and any intervening claims. The Decision on Appeal reversed the rejection of claims 21 and 22. Therefore, claims 47 and 48 are allowable.

Claim 49 is claim 31 rewritten in independent form including all limitations of the base claim and any intervening claims. The Examiner indicated claim 31 would be allowable if so rewritten. Therefore, claim 49 is allowable.

Claims 50-52 are claims 32-34, respectively, with claim 50 rewritten in independent form including all limitations of the base claim and any intervening claims. The Examiner indicated claims 32-34 would be allowable if so rewritten. Therefore, claims 50-52 are allowable.

Claim 53 is claim 36 rewritten in independent form including all limitations of the base claim and any intervening claims. The Examiner indicated claim 36 would be allowable if so rewritten. Therefore, claim 53 is allowable.

Claim 54 is claim 40 rewritten in independent form including all limitations of the base claim and any intervening claims. The Examiner indicated claim 40 would be allowable if so rewritten. Therefore, claim 54 is allowable.

### **III. OTHER AMENDMENTS**

The Specification has been amended to improve clarity. No new matter has been added.

### **IV. DRAWINGS**

Formal drawings were filed on February 12, 2003, as confirmed by the return postcard date stamped on February 20, 2003. Applicant requests that the formal drawings be acknowledged in the next written communication.

## V. FEES

The fee is calculated below:

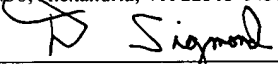
For	Claims Remaining After Amendment	Highest Number Previously Paid For		Extra Claims	Rate		Additional Fee
Total Claims	54	- 40	=	14	x \$18	=	\$252
Independent Claims	11	- 5	=	6	x \$84	=	\$504
Multiple Dep. Claim	0	0			\$280	=	\$0
Total Fee						=	\$756

Please charge the \$756 fee and charge any underpayment and credit any overpayment to Deposit Account No. 13-0016/Q00-1101-US1.

## VI. CONCLUSION

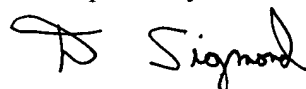
In view of the amendments and remarks set forth herein, the application is believed to be in condition for allowance. Should any issues remain, the Examiner is encouraged to telephone the undersigned attorney.

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on August 2, 2004.

  
David M. Sigmond  
Attorney for Applicant

8 / 2 / 04  
Date of Signature

Respectfully submitted,



David M. Sigmond  
Attorney for Applicant  
Reg. No. 34,013  
(303) 702-4132  
(303) 678-3111 (fax)